

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE JOINT APPLICATION OF ULICE BUD)	
RIFE, JR., AND JOHN M. BRADLEY AND)	
DEBBIE L. BRADLEY FOR THE APPROVAL)	
OF THE ACQUISITION OF B & H GAS)	CASE NO. 89-018
COMPANY, INC. OF STANVILLE, FLOYD)	
COUNTY, KENTUCKY, BY ULICE BUD)	
RIFE, JR.)	

O R D E R

On March 21, 1991, the Commission received a letter from Ulice Rife, Jr., acting on behalf of B & H Gas Company, Inc. ("B & H") requesting that the Order in Case No. 89-018 be vacated. The Commission treated this letter as a request to reopen the case and entered an Order reopening the case on May 10, 1991. An informational request was incorporated into the May 10, 1991 Order. On May 20, 1991, the response of B & H was filed with the Commission.

After reviewing the evidence of record and being sufficiently advised, the Commission finds that:

1. The transfer which was approved in CN 89-018 on May 17, 1989 was a stock transaction and, consequently, the language contained in the Order regarding the recording of a plant acquisition adjustment is not necessary and should be removed from the findings and orders in that case.

2. B & H continued to exist under the same corporate charter before and after the stock transaction occurred.

3. The entries required in finding 4 of the May 17, 1989 Order are not appropriate to reflect the transfer of ownership in a stock transaction and are not required under the findings in this Order.


IT IS THEREFORE ORDERED that:

1. The findings in the Order originally entered on May 17, 1989 in Case No. 89-018 are hereby amended in accordance with the above findings.


2. All other provisions of the May 17, 1989 Order shall remain in full force and effect.

Done at Frankfort, Kentucky, this 11th day of June, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director